

Customer No.: 31561  
Application No: 10/707,358  
Docket No.: 11417-US-PA

### Claim Amendment

Please amend the claims according to the following listing of claims and substitute it for all prior versions and listings of claims in the application.

#### In The Claims

Claims 1-19 (canceled).

20. (currently amended) A semiconductor device structure, the structure comprising:

~~a gate dielectric layer~~ an active region and an isolation region, disposed on a substrate;

a plurality of ~~first~~ gate structures having a gate conductive layer, disposed on the ~~gate dielectric layer=~~ substrate, wherein first portions of the first-gate structures, disposed on the active region, further comprise a cap layer and a spacer, and second portions of the gate structures, disposed on the isolation region, do not comprise a gate conductive layer, a cap layer and a spacer;

~~a plurality of second gate structures, disposed on the substrate, wherein the second gate structures comprise the gate conductive layer;~~

a dielectric layer, disposed ~~on above the substrate, covering the first and the second~~ gate structures;

a self-aligned contact, disposed in the dielectric layer between ~~the first two of the first~~ portions of the gate structures; and

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a conductive line, disposed on the dielectric layer, wherein the conductive line electrically connects with the self-aligned contact.

21. (currently amended) The structure of claim 20, wherein ~~the cap layer and the spacer of the first portions of the first gate structures are~~ is disposed between the self-aligned contact and the gate conductive layer and a part of the cap layer, abutted to the spacer disposed between the self-aligned contact and the gate conductive layer, remains on the first portions of the gate structures.

22. (withdrawn) The structure of claim 20, wherein the dielectric layer at a sidewall of the gate conductive layer of the second gate structures comprises voids therein.

23. (withdrawn) The structure of claim 22, wherein the dielectric layer at a sidewall of the gate conductive layer of the first gate structures that is not adjacent to the self-aligned contact comprises voids therein.

24. (withdrawn) The structure of claim 20, wherein the second gate structures further comprise a spacer, disposed on a sidewall of the second gate structures, wherein the spacer is higher than the gate conductive layer.

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25. (original) The structure of claim 20, wherein a dielectric constant of the dielectric layer is lower than a dielectric constant of the cap layer and the spacer.

26. (currently amended) The structure of claim 20 further comprising a metal silicide layer formed on a sidewall of the gate conductive layer of the second portions of the gate structures.

27. (withdrawn) The structure of claim 26, wherein a sidewall of the gate conductive layer of the first gate structures that is not adjacent to the self-aligned contact further comprises the metal silicide layer.

Claims 28-31 (canceled).